



**FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
NORTHEAST REGION**

Detroit Office
24897 Hathaway Street
Farmington Hills, Michigan 48335

May 20, 2014

Johnny Burney
Detroit, Michigan

NOTICE OF UNLICENSED OPERATION

Case Number: EB-FIELDNER-13-00008458
Document Number: W201432360003

The Detroit Office received a complaint that your CB radio station may be operating overpower and causing interference to neighborhood home electronic entertainment equipment.

On May 13, 2014, an agent of the Commission's Detroit Office inspected your CB station and found that you had two power amplifiers (linears) installed at your station. In addition, you admitted you were operating your station with the linears and their total output power was 1000 watts and could be tuned to 5000 watts. Under Section 95.411 of the Rules, the use of a power amplifier (linear) voids your authority to operate the station.¹

Operation of radio transmitting equipment without a valid FCC authorization or license is a violation of Section 301 of the Communications Act of 1934, as amended,² and may subject the responsible parties to substantial monetary forfeitures, in rem arrest action against the offending radio equipment, and criminal sanctions including imprisonment.³ Because unlicensed operation creates a danger of interference to important radio communications services and may subject the operator to severe penalties, this warning emphasizes the importance of complying strictly with these legal requirements.

You are hereby warned that operation of radio transmitting equipment without a valid radio station authorization constitutes a violation of the Federal laws cited above and could subject the operator to severe penalties, including, but not limited to, substantial monetary fines, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment. (*see* 47 U.S.C. §§ 401, 501, 503 and 510).

¹ 47 C.F.R. § 95.411.

² 47 U.S.C. § 301.

³ *See* 47 U.S.C. §§ 401, 501, 503, 510.

**UNLICENSED OPERATION OF THIS RADIO STATION MUST BE DISCONTINUED
IMMEDIATELY.**

You have ten (10) days from the date of this notice to respond with any evidence that you ceased transmitting with excessive power at your CB station. Your response should be sent to the address in the letterhead and reference the listed case and document number. Under the Privacy Act of 1974, 5 U.S.C. § 552a(e)(3), we are informing you that the Commission's staff will use all relevant material information before it to determine what, if any, enforcement action is required to ensure your compliance with FCC Rules. This will include any information that you disclose in your reply.

You may contact this office if you have any questions.

James A. Bridgewater
District Director
Detroit Office
Northeast Region
Enforcement Bureau